

Jan 28, 2020

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DAVID DANIELS,

Plaintiff,

v.

MICHAEL WAYMAN and
THOMAS L'HEUREUX,

Defendants.

NO: 4:19-CV-5256-RMP

ORDER DISMISSING
ACTION WITHOUT
PREJUDICE

By Order filed January 16, 2020, the Court directed Plaintiff David Daniels to provide sufficient documentation to comply with 28 U.S.C. § 1915(a)(2). On January 22, 2020, Plaintiff filed a letter stating his intent to proceed no further with this action, as he has filed the same complaint in the Western District of Washington and wishes to proceed only with that action.

The Court liberally construes Plaintiff's letter as a Motion to Voluntarily Dismiss pursuant to Fed. R. Civ. P. 41(a), ECF No. 6. Defendants have not been served in this action. Having reviewed Mr. Daniel's submission and the remaining record, the Court grants Mr. Daniels' construed motion to

ORDER DISMISSING ACTION WITHOUT PREJUDICE -- 1

1 voluntarily dismiss this action.

2 Accordingly, **IT IS HEREBY ORDERED:**

3 1. Plaintiff's construed Motion to Voluntarily Dismiss, **ECF No. 6**, is

4 **GRANTED.**

5 2. This action is **DISMISSED WITHOUT PREJUDICE.**

6 3. All other pending motions are **DENIED as moot.**

7 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
8 Order, enter judgment of dismissal without prejudice, provide a copy to Plaintiff,
9 and **close this case.**

10 **DATED** January 28, 2020.

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12 *s/ Rosanna Malouf Peterson*
13 ROSANNA MALOUF PETERSON
14 United States District Judge
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